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„The role of the Conference on the Future of Europe in promoting a Union of Citizens”

**Online discussion with BETA Polska „Democratic deficit in the EU: present or future?” - In Discussion with MEP Professor Danuta Hübner organized in the framework of the Conference on the Future of Europe
Beta Poland Association**

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I would like to start by thanking you for inviting me to have this exchange of view with you within the framework of the Conference on the Future of Europe.

The Conference on the Future of Europe is the biggest ever public consultation in the history of European integration. Maybe it could be compared with elections to the European Parliament we have every five years. We hope to have over the year to come a citizen-led series of debates and discussions that will enable people from across Europe to share their ideas and help shape our common future.

As I said the Conference is the first of its kind. It is about Europe, it is about democracy. It offers a new public forum for an open, inclusive, and transparent debate around priorities and challenges as we, institutions, governments, parliaments, academia, business community and, first of all, European citizens see them.

The European Parliament, in particular, has wanted EU citizens to have a special role in our discussion. I also think that the pandemic has led to an increase in civic interest in Europe, in openness to talk with others, to look to the future. We see it in public opinion surveys, in various events, in online blogs or in social media. You can see that people have a need to ask questions about the role of the EU, to reflect on its future and what they expect from it.

All of us, shareholders and stakeholders of the European integration must show that we have answers to the concerns and ambitions of entire European community. The conference is to be a kind of bottom-up forum in which citizens from all EU countries are to participate. The idea is to build Europe from the bottom up, in response to people's expectations, needs and dreams.

It is true that the Union is often criticized for the lack of democratic procedures in the making of EU policies, for the "democratic deficit" and for the lack of sufficient openness and transparency of decision-making procedures. But when you look at the decision-making process in the Union, you can see many examples of the opposite. There are many channels allowing for communicating with all those that are interested in a given legislative proposal, asking for opinion, involving national parliaments, coming up with legislative proposals, there is a legislative process where directly elected European Parliament is a co-legislator, where impact assessment is a formal obligation. So, indeed, one can participate in the ongoing development of EU policy and law.

Commenting on EU policy and law - you can have your say on Commission initiatives or reply to one of the public consultations. At any time, you can also suggest ways to improve an existing EU law.

I hope some of you have participated in the European Citizens' Initiative or in Citizens' dialogues, public debates with commissioners or members of the EP.

I am sure you have heard about the possibility of writing a petition, there is a special committee in the EP that copes with them. You can ask the EP to look into an issue that affects you or complain about how an EU law is being applied. Any EU citizen can do it.

You ask me about the potential further enlargements of the Union. As you know there are countries aspiring to join and enlargements have played a very important role in increase the space of democracy on our continent. Each enlargement changed the Union. And made it bigger. Any European state can join the Union if it respects and meets the criteria, respects the values and fundamental rights and the procedure of adjusting the legal framework and capacity to act as a member state.

Any potential member must have stable institutions guaranteeing democracy, the rule of law, human rights and respect for and protection of minorities. It must have a functioning market economy and the capacity to cope with competition and market forces in the EU. It must as well be capable to take on and implement effectively the obligations of membership, including adherence to the aims of political, economic and monetary union. But also, the states that are already EU members and institutions must give their consent. And, last but not least, the EU needs to be able to integrate new members. You might have heard that sometimes in the context of subsequent enlargement the dilemma, false in my view, deepening or widening was put on the table.

A potential member state usually organizes a referendum to have the consent of their citizens. It can be replaced by an approval of the national parliament.

On the list of the current candidate countries you can see Albania, Republic of North Macedonia, Montenegro, Serbia, Turkey. Those countries negotiate with the Union. Bosnia and Herzegovina and Kosovo are potential candidates, but they were promised the prospect of joining when they are ready. There is also in the Treaty article 50 which allows a member state to leave the Union. And I am sure you have followed the bumpy road of the implementation of the Withdrawal Agreement and the Trade and Cooperation Agreement that entered into effect, respectively in February, 2020 and January 2021.

You also ask me whether the problem with the rule of law in Poland can lead to its exit from the EU. And whether there is behind that a weakening of democracy in Poland. You probably saw the recent public opinion survey according to which only 31% of Poles think that they live in a democratic state. This is both sad and worrying.

Every six months since 1973, the European Commission has been publishing a comprehensive analysis of the attitudes of people in the Member States towards integration. Ever since Poland was included in it, it has traditionally been one of the most enthusiastic countries about united Europe. The latest Eurobarometer shows that only 50% of Polish citizens expressed their trust in the EU, while 38% did not express their trust. 12% of the respondents did not express their opinion. This is a little better than the EU average (49% positive and 43% negative), but also a long way behind the enthusiastic Portugal (78% expressed their trust in the EU), Ireland

(74%) or Lithuania (70%). But at the same time between 80 and 90% of Poles want Poland to be the EU member state.

It is true that Polish authorities have been for the last five years dismantling the judiciary system which since our membership is part of the European community of law. Poland's new system to discipline judges is "contrary to EU law" and risks undermining the independence of the country's judiciary, the Court of Justice of the EU's advocate general said last Thursday.

Earlier, the European Commission decided to refer Poland to the Court of Justice of the European Union in relation to the 20 December 2019 law on the judiciary, which entered into force on 14 February 2020. The Commission has also decided to ask the Court of Justice to order temporary measures pending a final judgment in the case.

Poland has also filed a claim with the CJEU which concerns the incompatibility with the European Treaties of the regulation on the general system of conditionality to protect the EU budget. Poland's doubts are shared by Hungary, which is filing a complaint against the regulation at the same time as Poland.

There is also a CJEU's Grand Chamber ruling that legislation which would deprive national courts of the possibility of asking preliminary questions to the CJEU is contrary to the EU Treaty. It pointed out that the changes could undermine citizens' confidence in the independence of the judiciary if, as the Polish court must ultimately decide, they "raise reasonable doubts about the invulnerability of judges appointed on the basis of resolutions of the NCJ to the influence of the legislative and executive powers". Poland considers that this ruling is unacceptable and goes beyond the EU treaties. These are just examples of how the current government withdraws Poland from the EU legal framework.

Unfortunately, we also faced recently Polish threat to veto the EU's budget. Government rhetoric painting the EU as an alien and unfriendly force can have impact on how uninformed citizens view the membership in the Union.

Despite this anti-European rhetoric, the government insists it has no intention of leaving the EU, but simply wants it to be a loose grouping of nation states with the right to interpret the European values and rule of law. Agreeing to rule of law conditionality in the budget would be, as they say, "a loss of sovereignty for our country."

Still the EU is overwhelmingly popular among Poles, and, of course, leaving the EU would be a huge blow to the economy and benefits from the membership.

EU funds and participation in the single market have hugely contributed to the increase of wealth among Poles: their income per capita increased from 45 percent of the EU's average in 2004 to 70 percent in 2017, according to Eurostat. While the U.K. is the world's sixth-largest economy, Poland is 22nd and much more reliant on its ties to the rest of the EU. Withdrawing from the EU and setting up tariff and trade barriers would send the economy into a tailspin.

When you ask me whether we can create a better sense of European identity across Europe and its citizens, the first thing that comes to my mind is that European identity must be based on what unites us and not what differentiates us from the others, the rest of the world. There are many small things that can be done in this context. We should be more committed to common efforts when it comes to education. For example, why can't we do more to encourage learning of foreign languages. We see examples of multilingual states where citizens speak two-three languages. An average European kid could have access to learning foreign languages, also with support from the EU budget. I

Travels and exchange at school level, for young businesses, a lot is happening here already.

The guaranteed and technically facilitated right to vote in local and European elections seems obvious as well. Expanding European competences to areas of crucial importance for all citizens, pandemic proved how much more we can do together in the area of health. I also hope that the Conference on the future of Europe will allow us to see how much we share.